



MINUTES

Board of Appeals

May 17, 2023 7:00 pm

Virtual Meeting

The Board of Appeals of the City of Annapolis held its regularly scheduled public meeting on May 17, 2023 as a virtual meeting. **Chair** Gallagher called the meeting to order at 7:00 pm.

Commissioners Present: **Chair** Robert Gallagher, Robert Hector III, Christian Zazzali, Michael Walsh, Nadine Chien

Staff Present: Kim Burke, Planning and Zoning, Jacquelyn Rouse, Planning & Zoning, Mark "Tripp" Fulton, Assistant City Attorney

Others Present: Selin Demir, Counsel to the Board

A. APPROVAL OF AGENDA

Dr. Chien moved to approve the agenda as written. Mr. Hector seconded the motion. The motion passed 4-0

B. APPROVAL OF MINUTES

Mr. Walsh moved to approve the minutes of the May 2, 2023 meeting as written. Mr. Hector seconded the motion. The motion passed 4-0

Mr. Zazzali arrived at the meeting at 7:07 pm.

C. PUBLIC HEARINGS

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1. Special exception application by Sandra Rosswork, property owner to establish an accessory dwelling unit on property located at 511 Chesapeake Avenue SE-2023-00002.

Ms. Rouse introduced the project and explained the relevant sections of the Code pertaining to Accessory Dwelling Units. One public comment has been received, from an adjacent neighbor expressing support for the application. The property owner plans to rent the dwelling to tenants on the basis of one-year lease.

The Board Members asked clarifying questions about rental license, enforcement, parking requirements and the standard applied for property modifications.

In deliberations, the Board Members agreed that the requirements for Special Exception have been met.

Mr. Hector moved to approve the application. Mr. Walsh seconded the motion. The motion passed 5-0.

Chair Gallagher admitted the following Applicant exhibits into the record.

EXHIBIT NUMBER	EXHIBIT
A.1	Application for Special Exception for an ADU
A.2	Floor plan

Chair Gallagher admitted the following Staff exhibit into the record.

EXHIBIT NUMBER	EXHIBIT
C.1	Staff Report dated 4/25/23

Chair Gallagher admitted the following Public Comment exhibit into the record.

EXHIBIT NUMBER	NAME	ADDRESS	EXHIBIT
T.1	Nick & Joyce Roper	513 Sixth Street	Email dated 5/16/23

2. Special Exception application by FWCI Annapolis 2, LLC, property owner and FWCI Annapolis 2, LLC and Ogle Hall Alumni Organization, Inc., co-applicants to establish a twenty (20) room inn and a social organization on the property located at 247 King George St. and 49 College Ave. SE2022-007. *CONTINUED FROM MAY 2, 2023*

Those wishing to testify were sworn in by **Chair** Gallagher.

Live testimony was delivered by:

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- Paige Ferguson
- David Smulski
- Andrew Miller
- Amanda Fegley

Chair Gallagher declared the public hearing closed at 7:26 pm.

The Board Members asked questions about the traffic analysis, the duration of the Memorandum of Understanding and its renewal, signers of the Articles of Incorporation, requirements for membership in the social organization and its activities, maximum capacity of the inn, and the distinction of events intended for each of the two properties.

Mr. Dales, representing the Applicants, addressed several points made in the recent article in The Capital on the topics of valet parking, operations, events and activities to be hosted by the social organization.

In deliberations, **Chair** Gallagher led a review of the Code as it applies to these applications. The Board Members discussed concerns about the size of the inn, the MOU term limitation, how on-site parking will be used by the inn during events, the hours of valet operation, enforcement and what additional conditions would be appropriate if the Special Exception was approved.

Mr. Zazzali moved to deny the application for the social organization on the grounds that it is not a social organization as contemplated by the Code, that the use would be inconsistent with the use as an inn at the same property and that the applicant had failed to demonstrate satisfaction of the requirements of Code sections 21.25.050 A, B and E and that the proposed conditions would not change that conclusion. The motion also included approval of the special exception for the use as an inn subject to enhanced conditions to be set forth in the Board's written decision. Mr. Hector seconded the motion. The motion passed 5-0.

Chair Gallagher admitted the following Applicant exhibits into the record.

EXHIBIT NUMBER	EXHIBIT
A.13	Letter from Phil Dales, Additional Parking Information dated 5/5/23
A.14	Ogle Hall Articles of Incorporation
A.15	Ogle Hall Memorandum of Agreement
A.16	Traffic Impact Analysis Addendum dated 5/15/23
A.17	5/8/23 Email from Sarah Neild, Proposed Conditions
A.18	Dales/Yaeger emails (6 pages)
A.19	List of Tent Permits issued for 247 King George Street

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Chair Gallagher admitted the following Staff exhibit into the record.

EXHIBIT NUMBER	EXHIBIT
C.3	5/4/23 Addendum to Staff Report (5 pages)

Chair Gallagher admitted the following Public Comment exhibits into the record.

EXHIBIT NUMBER	NAME	ADDRESS	EXHIBIT
T.23	Wes Farrell	244 Prince George St	Email dated 5/10/23
T.24	Adrienne Young	248 Prince George St	Email dated 5/14/23
T.25	Andrew Miller	110 East St	Email dated 5/14/23
T.26	Benjamin Mednick	232 Prince George St	Email dated 5/16/23
T.27	Benjamin Mednick	232 Prince George St	Email dated 5/16/23
T.28	David Smulski	16 College Ave	Email dated 5/16/23
T.29	Wes Farrell	244 Prince George St	Email dated 5/16/23
T.30	Amanda Fegley	238 Prince George St	Email dated 5/15/23

D. ADJOURNMENT

With there being no further business before the Board, Mr. Walsh moved to adjourn. Dr. Chien seconded the motion. The motion passed and the meeting adjourned at 8:59 pm.

The next meeting of the Board of Appeals is scheduled for June 6, 2023 at 7:00 pm as a virtual public meeting.

Kimberly Consoli, Recorder

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